

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

**TAKEDA PHARMACEUTICAL
COMPANY LIMITED, et al.,**

Plaintiffs,

v.

**ZYDUS PHARMACEUTICALS USA,
INC., et al.,**

Defendants.

Civil Action No. 10-1723 (JAP)

ORDER

This matter having come before the Court upon Plaintiff Takeda Pharmaceutical Company Limited's ("Takeda") Motion for Spoliation Sanctions in the form of exclusion of Zydus's evidence of particle size testing on pre-tableted granules; and Zydus Pharmaceuticals USA, Inc.'s ("Zydus") having opposed the motion; and the Court having fully reviewed all papers submitted in support of, and in opposition to, Takeda's motion; and the Court considering Takeda's motion without oral argument pursuant to FED.R.CIV.P. 78; and for the reasons set forth in the Court's accompanying Memorandum Opinion; and for good cause shown;

IT IS on this 10th day of May, 2012,

ORDERED that Takeda's Motion for Spoliation Sanctions is DENIED;

and it is further ORDERED that the Clerk of the Court terminate the aforementioned motion [Docket Entry No. 145] accordingly.

s/ Tonianne J. Bongiovanni
HONORABLE TONIANNE J. BONGIOVANNI
UNITED STATES MAGISTRATE JUDGE